

### **REMARKS**

Claims 1, 2 and 4-20 are pending in the application. By this paper, claim 3 has been cancelled and claims 1, 2, 4-6, 8-12, 14-16 and 18-20 have been amended. No new matter is added by these amendments. Reconsideration of claims 1-20 in light of the amendments and arguments herein is respectfully requested.

#### **Objection to the Specification**

The Abstract of the disclosure stands objected to as being longer than 150 words. By this paper, the Abstract has been amended to reduce its length within the required limit of 150 words. Specific amendments to the Abstract are shown above in the section labeled Amendments to the Specification. A replacement sheet containing the amended abstract is attached here to. Accordingly, withdrawal of the objection to the specification is respectfully requested.

#### **Objections to the Claims**

Claims 4, 8, 14 and 18 stand objected to based on informal matters. The examiner has required that the acronym "CSR" be written out as complete text. Accordingly, claims 4, 8, 14 and 18 have been amended to make the necessary correction, defining "CSR" as "customer service representative." No new matter is added by this amendment. Support for this amendment is found in the specification at page 2, line 2. Withdrawal of the objection to claims 4, 8, 14 and 18 is respectfully requested.

#### **Claim rejections under 35 U.S.C. § 112**

Claims 1, 6, 8, 10, 11, 16, 18 and 20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. According to the office action, these claims are rendered vague and indefinite because of the use of the term "otherwise" and the Examiner suggests a positive recitation in place of the alternative language used in the claims as filed.

Applicants thank the Examiner for the helpful suggestions regarding possible claim amendments. By this paper, claims 1, 6, 8, 10, 11, 16, 18 and 20 have been amended to delete the "otherwise" limitation and substitute therefore two conditional statements worded as "if..." It is respectfully submitted that this wording satisfies the requirements of section 112, second paragraph. Withdrawal of the rejection under this section is respectfully requested.

Other amendments – informal matters

Several other claims have also been amended to correct certain inconsistencies and informalities noted during review of the claims. In particular, several recitations in the nature of "is comprised of" have been rewritten to the form "comprises" in order to make these recitations more correct grammatically. These amendments are not made for any reason related to patentability but only to improve the readability of the amended claims.

Claim rejections under 35 U.S.C. § 101

Claims 1-4 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner has pointed to claim 8 as being of a statutory format by reciting "...over a computer network ..." in the body of the claim.

Again, applicant thanks the Examiner for the helpful suggestions in overcoming this rejection. By this paper, claim 1 has been amended in several places in accordance with the Examiner's suggestion to recite that communication with the customer is "over the computer network." It is respectfully submitted that this claim, as amended, fulfills the requirements of statutory subject matter under 35 U.S.C. § 101. Claims 2 and 4 are dependent from claim 1 and conform to the requirements of section 101 for the same reasons; claim 3 has been cancelled. Withdrawal of the 35 U.S.C. § 101 rejection of claims 1, 2 and 4 is respectfully requested.

Claim rejections under 35 U.S.C. § 103

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication no. 2001/0054064 ("Kannan") in view of U.S. Patent number 6,839,400 to Bushey ("Bushey").

Independent claims 1, 8, 11 and 18 have been amended to distinguish the invention defined by these claims over the cited references. Reconsideration of claims 1, 2 and 4-20 is respectfully requested.

Independent claim 1 recites responding to a request for a customer service interaction by “automatically calculating a customer value for the customer based on historical customer interaction information,” and “if said customer value is less than said predetermined threshold, presenting said customer with a partial list of interaction options.” Independent claims 8, 11 and 18 all include similar limitations. Thus, *the customer* is given options based on the customer’s value to the seller of goods or services. At page 18, lines 6-9, it is explained that in one embodiment, “the customer is presented with a full list of channels through which he/she may contact a CSR.... If the client’s value does not exceed a threshold value... the client is presented with a partial list of channels.” Independent claim 1 further recites “receiving a selected interaction option from the customer.” Independent claims 8, 11 and 18 all include similar limitations.

The cited prior art references do not include these limitations. Kannan merely discloses determining “whether the customer qualifies for live service,” paragraph [0080]. Kannan alludes to “other qualification methodologies,” paragraph [0080], but disclose the limitations of claims 1, 8, 11 and 18. Kannan provides a mere binary, live service/no live service determination. Kannan does not provide the customer with options based on that determination. Moreover, Kannan does not receive a selected interaction option from the customer.

The disclosure of Bushey does not fill in the missing limitations. Bushey discloses a match processor that compares customer models about a customer making a request with agent models for particular agents. Bushey does not disclose presenting the customer with full or partial lists of interaction options or receiving an interaction selection from the customer.

Thus, each of independent claim 1, 8, 11 and 18 include limitations nowhere shown in the prior art of record. Claim 1 has been amended to further distinguish the invention defined by this claim over the applied references. As amended, claim 1 recites determining a channel through which a customer interaction between a customer and the customer interaction center will be conducted.” Several possible channels are recited, including a telephone connection, postal mail, electronic mail and facsimile, along with connects over computer networks. The primary cited

reference, Kannan, is limited to on-line customer interactions and specifically distinguishes non-network interactions. At paragraph [0012], Kannan states "[d]ifferent networking tools or services allow remote users to communicate with each other over a communication link. However, such tools cannot provide effective on-line, live customer service in real-time over the World Wide Web...." As explained in paragraph [0014], electronic mail can not fulfill these goals, and as explained by Kannan in paragraph [0015], neither does telephone interaction. Kannan does not even disclose facsimile or postal mail as interaction options, as included in the method of claim 1. Claim 8 further recites "if the customer initiates contact with the customer interaction center via one of a facsimile machine and postal mail, evaluating the customer contact using character recognition to produce processed data and conveying the processed data to the CSR for response to the customer." None of the prior art of record discloses receiving this type of customer interaction and processing it in this manner.

Accordingly, each of independent claims 1, 8, 11 and 18 recite limitations nowhere shown in the prior art of record. Accordingly, each of these claims and their respective dependent claims is allowable. Withdrawal of the 35 U.S.C. § 103(a) rejection of claims 1-20 is respectfully requested.

With this response, the application is believed to be in condition for allowance. Should the examiner deem a telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the telephone number below.

Respectfully submitted,



John G. Rauch  
Registration No. 37,218  
Attorney for Applicant

January 27, 2004  
BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200